

**CALENDAR ITEM
C42**

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06/29/15
PRC 7277.1
B. Terry

**ACCEPTANCE OF A QUITCLAIM DEED AND ISSUANCE
OF A GENERAL LEASE – RECREATIONAL USE**

LESSEE:

Reid W. Dennis and Margaret E. Dennis, Trustees, or Successor Trustees, under the Reid and Margaret Dennis Living Trust U/A/D July 7, 1989.

APPLICANT:

David A. Olson and Lynn D. Olson, as Trustees of the Olson Family Trust, as Amended and Restated in 2001, dated January 3, 2001

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 1340 West Lake Boulevard, near Tahoe City, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, two boat houses, three boat lifts, and one boat hoist.

LEASE TERM:

10 years, beginning January 7, 2015.

CONSIDERATION:

\$3,313 per year, with an annual Consumer Price Index adjustment.

SPECIFIC LEASE PROVISIONS:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On May 24, 2012, the Commission authorized a General Lease – Recreational Use to Reid W. Dennis and Margaret E. Dennis, Trustees, or Successor Trustees, under the Reid and Margaret Dennis Living Trust U/A/D July 7, 1989. That lease will expire on May 23, 2022. On January 7, 2015, the upland was deeded to David A. Olson and Lynn D. Olson, as Trustees of the Olson Family Trust, as Amended and Restated in 2001,

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dated January 3, 2001. The Applicant is now applying for a General Lease – Recreational Use.

3. The Lessee executed a quitclaim deed releasing their interest in the Lease to the State. Staff recommends acceptance of the quitclaim deed and issuance of a new lease.
4. **Acceptance of a Quitclaim Deed:** The staff recommends that the Commission find that the subject acceptance of a quitclaim deed does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

5. **Issuance of Lease:** The staff recommends that the Commission find that this activity is exempt from the requirements of CEQA as a categorically exempt project. For the existing facilities, the project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

6. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

CALENDAR ITEM NO. **C42** (CONT'D)

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Acceptance of a Quitclaim Deed: Find that the subject acceptance of a quitclaim deed is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

Issuance of Lease: Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

AUTHORIZATION:

1. Authorize acceptance effective January 6, 2015, of a quitclaim deed for Lease No. PRC 7277.1, a General Lease – Recreational Use, issued to Reid W. Dennis and Margaret E. Dennis, Trustees, or Successor Trustees, under the Reid and Margaret Dennis Living Trust U/A/D July 7, 1989.
2. Authorize issuance of a General Lease – Recreational Use to David A. Olson and Lynn D. Olson, as Trustees of the Olson Family Trust, as Amended and Restated in 2001, dated January 3, 2001, beginning January 7, 2015, for a term of 10 years, for the continued use and maintenance of an existing pier, two boat houses, three boat lifts, and one boat hoist, as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$3,313 with an annual Consumer Price Index adjustment; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 7277.1

LAND DESCRIPTION

A parcel of submerged lands situated in the bed of Lake Tahoe, lying adjacent to fractional Section 18, Township 15 North, Range 17 East, M.D.B.&M., as shown on Official Government Township Plat approved November 9, 1866, County of Placer, State of California, more particularly described as follows:

All those lands underlying an existing pier with rock crib, three catwalks and two boat houses with boat hoist and three boat lifts lying adjacent to that parcel described in Grant Deed recorded January 7, 2015 as Document Number 2015-0000827-00 in Official Records of said County.

TOGETHER WITH any applicable Impact Area(s).

EXCEPTING THEREFROM any portion lying landward of elevation 6223 feet LTD on the shoreline of said Lake Tahoe.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 06/01/2015 by the California State Lands Commission Boundary Unit.



APN
083-162-012

Approx.
Shoreline

EXISTING
PIER WITH
ROCK CRIB
7' x 188'

6223' ± LTD

LAKE

EXISTING
CATWALK
27' x 2'

EXISTING
BOATHOUSE
35' x 50'
WITH TWO
BOAT LIFTS

TAHOE

BOAT
HOUSE
25' x 30'

EXISTING
PIER WITH
ROCK CRIB
8' x 42'

9' IMPACT
AREA

EXISTING
CATWALK
3.5' x 48'

EXISTING
BOATHOUSE
35' x 50'
WITH BOAT HOIST
& BOAT LIFT

EXISTING
CATWALK
2' x 44'

EXISTING
ROCK CRIB
10' x 12'

EXHIBIT A

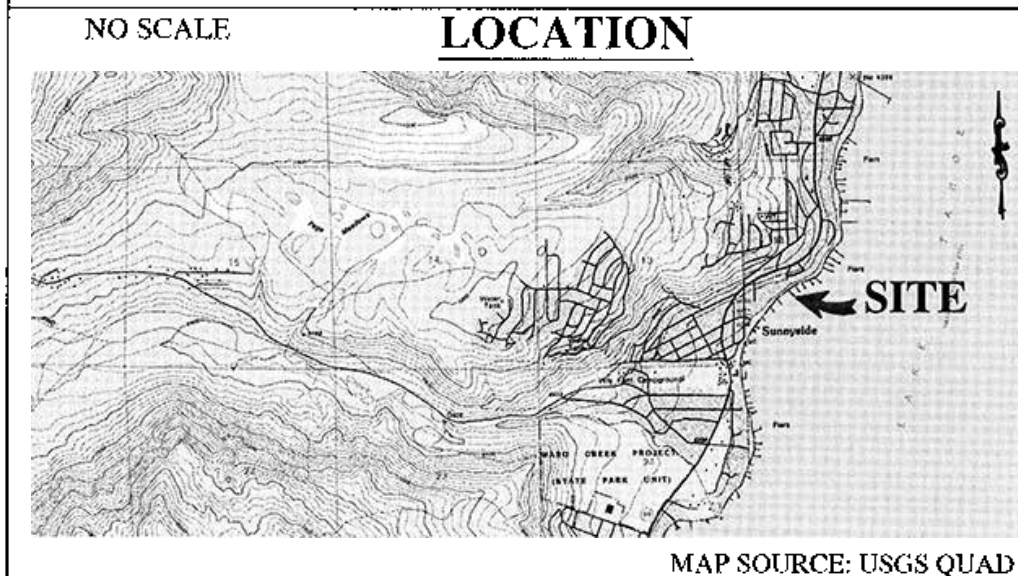
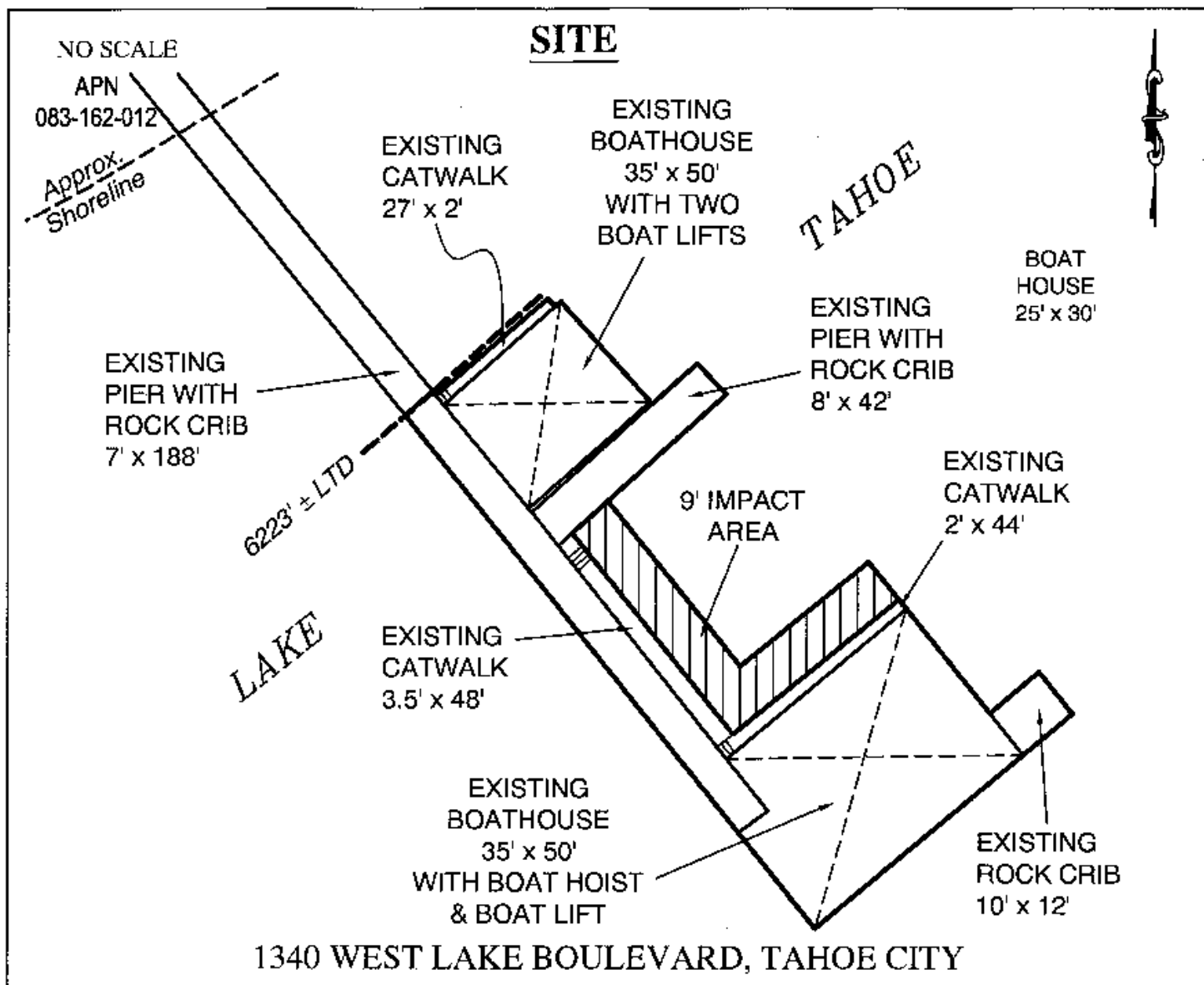
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LAND DESCRIPTION PLAT
PRC 7277.1, OLSON
PLACER COUNTY

CALIFORNIA STATE
LANDS COMMISSION





This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

